

# EXHIBIT I

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

18-CR-681 (NGG)

-against-

United States Courthouse  
Brooklyn, New York

MANUEL CHANG,

Defendant.

August 5, 2024  
9:15 a.m.

- - - - - X

TRANSCRIPT OF CRIMINAL CAUSE FOR JURY TRIAL  
BEFORE THE HONORABLE NICHOLAS G. GARAUFI  
UNITED STATES SENIOR DISTRICT JUDGE

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Proceedings recorded by computerized stenography. Transcript produced by  
Computer-Aided Transcription.

\* \* \* \* \*

1 I'm going to turn to the second reason. The second  
2 reason why the evidence proves that the defendant is guilty.  
3 Because Privinvest didn't just agree to pay bribes. They did  
4 in fact pay the defendant so that he would approve the  
5 projects and sign the guarantees. We showed you documents  
6 after documents between the co-conspirators, Boustani, Allam,  
7 Do Rosario and they all say the same thing that Manuel Chang  
8 got \$2 million to approve Proindicus and \$5 million to approve  
9 EMATUM. It literally says it right here in Boustani's e-mail.

10 Government Exhibit 1930, Boustani wrote, "For  
11 Chopsticks please let's do 1.5 today. It's very important.  
12 Chopstick's total will be all in all 7; two for us Proindicus  
13 and 5 for EMATUM."

14 I just want to take a step back and explain why the  
15 defendant was getting paid for Proindicus. Now, remember what  
16 Mr. Pearse told you about the upsizes for Proindicus.  
17 Proindicus was increased. The amount that they borrowed from  
18 Proindicus was increased three times. There were three  
19 upsizes. And that's on page 121 of his testimony. And he  
20 explained Mr. Pearse that the upsizes occurred in June, August  
21 and November of 2013 and in total Proindicus was asking for  
22 \$250 million.

23 They had already borrowed about 372 million and they  
24 were going to ask for 250 million more. And that upsize was  
25 going to be paid out in installments; 100 million; 32 million

1 and \$118 million. So, in total, Proindicus and Privinvest  
2 wanted to borrow the entire \$622 million from the investors  
3 and that's on page 121.

4 Each of those upsizes had to be guaranteed by  
5 Mozambique and each of those guarantees had to be signed by  
6 the defendant, by the defendant Manuel Chang. That's on page  
7 123 of Mr. Pearce's testimony. And that's what Privinvest was  
8 paying \$2 million to the defendant for.

9 Take a look at Government Exhibit 1927-A this is one  
10 of the ledgers that Najib Allam maintained. He kept this;  
11 again, an internal document and it shows the bribe payments  
12 for the second and third upsize for you Proindicus. And,  
13 look, this ledger tracks paymnets to the defendant, T.H.,  
14 to Isaltina Lucas, ISALT, to G.G, Gregioro Leao, Jean Boustani  
15 and Andrew Pearce.

16 And what it says here for C.H. is that Privinvest  
17 paid the defendant \$1 million in August of 2013 and \$1 million  
18 in September 2013 for these upsizes and you know that this  
19 document is true because this ledger here also documents the  
20 money that was paid to Andrew Pearce in September of 2013 and  
21 Pearce told you, he testified, that he got that money for the  
22 upside of Proindicus and that's on page 299 of the testimony.

23 And I want to turn back to this ledger for a minute  
24 because this is proof that Andrew Pearce and the defendant are  
25 part of the same conspiracy. They're on the same ledger.

1 They're both getting paid to do something to help get the  
2 Proindicus upside loan. The defendant signing the guaranty  
3 and is approving the upside and Pearce is helping push it  
4 through inside the bank. And Privinvest is telling you that  
5 when they put their names together on the same ledger.

6 So, the defendant gets \$2 million. This is how he  
7 gets paid, Government Exhibit 2392 and 2392-A. The defendant  
8 passes Antonio Do Rosario a folded-up piece of paper with a  
9 Swiss bank account to pass on to Boustani so that Boustani  
10 knows where to send the defendant's money. And the account  
11 name Genoa Assets SA. And you know that this folded-up piece  
12 of paper came from the defendant because literally Do Rosario  
13 says it's from Kung Fu, another name that Boustani and Do  
14 Rosario called the defendant because of his last name.

15 And Boustani confirms that this is for the defendant  
16 because look at the date of this e-mail. This is from August  
17 2, 2013 when he gets this Kung Fu PDF. The very next day  
18 Boustani forwards this PDF to Omam, Najib Allam and says,  
19 "This is for Chopsticks. Total \$2 million. Please let's make  
20 1 million on Monday." Government Exhibit 1926. And Allam  
21 confirms this. Government Exhibit 1928. He's a little  
22 confused about how much the defendant is supposed to get right  
23 now, but he says, "For Chopsticks. We can only do 600 to  
24 Genoa Assets. Again, this is overwhelming proof that the  
25 defendant is using Genoa Assets to deposit his bribe money and

1 it goes through the Bank of New York Mellon in New York, the  
2 U.S. account. And what did Boustani, Do Rosario and Boustani  
3 do after this money gets paid out? Well, Boustani and Do  
4 Rosario, they fly Manuel Chang out to Paris. Business class  
5 there, first class back, and I submit its to celebrate. And  
6 that's the Government Exhibit 3236.

7 Just think about it: Manuel Chang is the minister  
8 of finance and he's going to Paris with Boustani, with Do  
9 Rosario? Now, the same thing happens after Credit Suisse  
10 sends more money to Privinvest for the upside. Remember,  
11 these upsides are getting paid out throughout 2013. So, in  
12 August Credit Suisse sends another \$29 million for Proindicus  
13 Government Exhibit 15 01. Again, U.S. dollars going through  
14 the Bank of New York -- Bank of New York Mellon, apologies.

15 And after they get this money in September  
16 Privinvest gets ready to make another \$1 million to the  
17 defendant. Government Exhibit 1928. And again it says "For  
18 Chopsticks. Total is \$2 million so please let's do \$1  
19 million." And, again, this e-mail, it's not just for the  
20 defendant. It's for D.G., it's for Prof, it's for Isaltina  
21 Lucas because they're all getting paid around the same time  
22 because the money came through.

23 Now, Allam, he tells Boustani that he has to check  
24 with Iskandar Safa first to make sure it's okay to make the  
25 payments now, Government Exhibit 1928. Safa agrees because



1           So this right here tells you that the defendant got  
2 \$3 million to approve the original loan and 2 million to  
3 approve the upside. Another one of Alam's spreadsheets  
4 identifying bribe payments to the defendant. It literally  
5 says "Chang" here. Government Exhibit 1933-B and it tells you  
6 the same thing: \$5 million for EMATUM, \$3 million for Phase I  
7 EMATUM and 2 million for the upside. This one even has a  
8 helpful legend and it says C.H. for Chang. That's how  
9 Privinvest investors referred to the defendant in their books  
10 and records.

11           Look at who else is on this list. You have  
12 A.R.G.E., Armando Guebuza, Junior; you have G.G., Gregorio  
13 Leao; J.B. Jean Boustani; Rosario, Antonio Do Rosario. And  
14 then you have Surjan Singh. Surjan Singh, our other  
15 cooperating witness, who pled guilty, who admitted to taking  
16 millions of dollars from Privinvest to help push through  
17 EMATUM. They're all in the same ledger, all part of the same  
18 conspiracy to get the loan money; again, from Privinvest's own  
19 files.

20           These documents can tell you exactly what's going on  
21 here. Corruption, bribes, fraud, money laundering, because  
22 everyone on this list is getting paid in connection with  
23 EMATUM. Isaltina Lucas, she gets almost \$2 million in the  
24 EMATUM upside and they pay her through this account called MS  
25 International Trading FCCO, Government Exhibit 1933-D.

1           Armando Guebuza, junior, A.R.G.E. He got almost \$20  
2 million for EMATUM. That's Government Exhibit 1933-G. You  
3 have Antonio Do Rosario, 8.7 million dollars for him, for  
4 EMATUM. Government Exhibit 1933-F. G.G. Leao, he gets \$8  
5 million for EMATUM. Government Exhibit 1933-I. And then you  
6 have Surjan Singh. Privinvest's own records show that they  
7 were going to pay him \$4.5 million for the EMATUM upsize and  
8 that's at Government Exhibit 1933-E. And he testified, yeah,  
9 I got millions of dollars in kickbacks from Privinvest. I got  
10 it for the Proindicus upsize and for closing the EMATUM  
11 financing for \$500 million. That's on page 1334 of his  
12 testimony. And, again, look at how the defendant gets paid  
13 the \$5 million for EMATUM.

14           Government Exhibit 1933-C. He's getting paid in  
15 installments, \$1.5 million in October of 2013, another \$1.5  
16 million in November of 2013 and \$2 million in December of  
17 2013. And all of these payments are going to this company,  
18 Thyse International. Again, their own e-mails confirm this.

19           Government Exhibit 1929, you see Boustani telling  
20 Allam to pay the defendant in these specific amounts, to  
21 specific bank accounts for Spice International. He's  
22 literally saying, total of 5 million; split it up 1.5 million,  
23 1.5 million and 2. And Allam is again confused by the numbers  
24 and he had questions about how much to pay and Boustani says,  
25 "No. For Proindicus, it is two in all cases. EMATUM it is



1 son-in-law again. Wishing each other Merry Christmas. This  
2 shows you that the defendant was laundering his proceeds  
3 through his friend's accounts. And all of the ledgers  
4 confirm this, Government Exhibit 1933-C again. Payments to  
5 Thyse, all right. This is the five million that went to  
6 Thyse. It doesn't say Brito on this ledger, it says Chang,  
7 the defendant.

8 Government Exhibit 5089. Again, Boustani tells  
9 do Rosario, Thyse is for Chang. Literally, Boustani is  
10 e-mailing do Rosario, Thyse, create an invoice for Logistics  
11 for \$5 million for consultancy fees. And do Rosario asks  
12 Boustani, is Thyse for Pantero? Yes, bro.

13 And I'll just remind you that even Boustani  
14 testified that the \$5 million to Thyse was for the  
15 defendant. And he wasn't sure how much Privinvest paid the  
16 defendant, but he did see five million go to Thyse. That's  
17 from the defendant's own witness.

18 Let me just go back to this exhibit,  
19 Government Exhibit 5089 for a moment.

20 Our forensic accountant told you that Thyse is an  
21 account held at Noble Banco. That's in Spain, the defendant  
22 is in Mozambique, yet none of this money is going to an  
23 account in Mozambique. It's going to Spain, the Genoa  
24 payments are going to Switzerland because he's trying to  
25 hide it. And why is the defendant, the Minister of Finance,

1 an example. Government Exhibit 5089-A. Right?  
2 Do Rosario's personal activities ledger shows that  
3 Privinvest and Logistics paid him about \$700,000 via an  
4 account in the name of Adil Jussub. And on the right, you  
5 see a fake invoice for Adil Jussub. It's billed to  
6 Logistics, again, for a real estate project purchase in  
7 Mozambique. The same generic real estate description that  
8 you saw in the fake invoice for Isaltina Lucas.

9 Here's another example from do Rosario's personal  
10 activities ledger. Privinvest pays him another 342,000,  
11 this time through an account in the came of Youssef Jussub.  
12 Again, it's the same fake invoice for a real estate project  
13 purchase in Mozambique. And if you look at both invoices  
14 nothing changes, just the name. It's even the same dollar  
15 amount because it's a copy-and-paste job. Again, the  
16 ledgers confirm this is all for Rosario,  
17 Government Exhibit 1933-F. Both of these payments are  
18 listed for him.

19 Then you have e-mails for DG, for Gregorio Lial,  
20 confirms that Lial gets \$8 million for EMATUM. And, again,  
21 Boustani wants to split it up in chunks of 1.7, 1.7, 1.6.  
22 The same way they split up the defendant's payments -- 1.5,  
23 1.52.

24 You have e-mails about Nyusi. They spell it as  
25 NYS. Remember Nyusi was the former minister of defense.

1 the promise of money or undue benefit, and he received  
2 \$7 million from Privinvest. That the purpose of the money  
3 was to perform acts in violation or not in violation of  
4 official duties. Here the purpose of that money and undue  
5 benefit, we've proven, was for the defendant to approve  
6 these projects and sign the loan guarantees.

7 The third element talks about lawful and unlawful  
8 acts, it doesn't matter. It doesn't matter if the loan  
9 guarantees were lawful or not lawful. It doesn't matter if  
10 the guarantees were also approved by other people. And it  
11 doesn't matter if the projects had some benefits to  
12 Mozambique. It doesn't matter if the defendant would have  
13 signed any way, even if he never got paid. The Court is  
14 going to instruct you that's not a defense the fact that he  
15 got paid money in connection with these projects, to approve  
16 these projects, to sign these is enough to constitute a  
17 violation of bribery under Mozambican law of bribery  
18 statutes under Mozambican law.

19 Again, I direct you to Government Exhibit 1930.  
20 This is how you know that there was a violation of  
21 anti-bribery laws in Mozambique, because he got paid  
22 \$7 million for Proindicus and EMATUM.

23 Let me go back the two ways because you have to  
24 consider what the SUAs are when you are considering money  
25 laundering conspiracy. But as I mentioned, there are two

the 1990s, the number of people in the world who are undernourished has increased from 600 million to 800 million. The number of people who are malnourished has increased from 1.2 billion to 1.5 billion. The number of people who are obese has increased from 100 million to 300 million.

The World Bank has estimated that the cost of malnutrition to the world economy is \$1.2 trillion per year. This is equivalent to the cost of the world's military expenditure. The World Bank has also estimated that the cost of obesity to the world economy is \$1.2 trillion per year. This is equivalent to the cost of the world's military expenditure.

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1 various stations, parts, okay? And you see the bottom, the  
2 total cost of the project is \$170 million. Okay. Blow up the  
3 top bottom left please.

4 Now, you see on the top manufacturing costs, right,  
5 170, that's their cost, the cost of Privinvest. Look at  
6 profit. That's their profit, \$60 million, okay? Not bad,  
7 pretty good profit. Now look at partners, \$65 million.  
8 Remember it's 50 million and it goes to \$65 million in the  
9 e-mails. Look at the e-mails. That's bribes. That's bribes.  
10 Partners is exactly how the ledgers refer to the defendant,  
11 Rosario, Armando Guebeza, Jr., Lucas, Andrew Pearse and Surjan  
12 Singh. It's a conspiracy.

13 And they kept telling you the Government is telling  
14 you who's in the conspiracy. We're not telling you. Najid  
15 Allam and Jean Boustani told you. Members of the conspiracy  
16 themselves. It's their ledgers. It's their internal product.  
17 \$65 million for bribes, right there. Now, why do I make that  
18 point -- that's in 2012, by the way. All right, two years  
19 later they break it out. They break it out and at the bottom,  
20 All is done, all is done. They've been paid, okay, two years  
21 later, the bribe has been paid and, guess what, Chopstick, 7.  
22 Is there any dispute that the defendant is Chopstick? No.  
23 Pearse said it. Their witness Boustani said it and the  
24 e-mails make very clear it's Manuel Chang.

25 Now, they said well, you don't know what that money

1 is for. Yes, we do. Why? Because Boustani tells us. Let's  
2 go to 1930. Blow up the bottom e-mail, thank you.

3 Now, October 2013, Jean Boustani, their star  
4 witness, "For Chopstick please let's do 1.5 today. It's very  
5 important." By the way, that's \$1.5 million and if you look  
6 at the bank records on 1504 which we'll do in a second, I  
7 believe four days later that money goes through for EMATUM.  
8 The next line "Chopstick total. All in all 7." Well, 7, the  
9 same number in the e-mail we just saw, but now Boustani tells  
10 you, not me, Jean Boustani tells you -- coconspirator Jean  
11 Boustani tells you what it's for; two for Proindicus, five for  
12 EMATUM. That's an agreement. That's an understanding.  
13 That's a conspiracy. Don't take my word for it. Read the  
14 e-mails. Read the ledgers.

15 But wait, there's more. Go to 1928 bottom please,  
16 look how clear this is. Remember he said the money never went  
17 to Chang. It goes to Genoa and Thyse. It's for Chang. It  
18 says Chopstick, Genoa. Right there. Genoa Asset account.  
19 Not me.

20 Let's go to -- let's go to 5089. Jean Boustani  
21 again, Thyse International, that's the EMATUM. \$5 million  
22 consultancy fees. Okay, any evidence that Manuel Chang, the  
23 Minister of Finance of the entire country is a consultant for  
24 Privinvest at the same time they're signing guarantys for  
25 loans for them? Obviously not. Go up, please. Confirmed,

1 right there, Manuel Jorge. Who is that? That's Mr. Rosario.

2 Pearse told you that and, guess what, so did Jean Boustani.

3 So did Jean Boustani. He confirmed it, that's

4 Rosario. He asked is this for Pantero? Who is Pantero?

5 Well, Chang. Pearse told you that. Boustani told you that

6 and Boustani confirms, yes, bro. But, again, remember, the

7 payments for Thyse, there's three of them; 1.5 in October, 1.5

8 in November, 2 in December, okay? And this is really

9 important, 932. Look at this because this is confirmation

10 that Manuel Chang has confirmed receipt of the payment to

11 Thyse and directs Jean Boustani when he wants the other money.

12 The subject Chopstick, Manuel Chang. The other 1.5

13 Chopstick go. He confirmed -- he, he, he, he confirmed first

14 1.5. Remember what I said in October 2013 they give him \$1.5

15 million for Thyse for EMATUM. So, he wants 1.5 now. He wants

16 1.5 now, Chang, and the final 2, 1st of December. Okay? As

17 the remaining \$5 million in payments, okay? Two plus five is

18 7; 2 Proindicus, 5 for EMATUM.

19 1933-C, please. Confirmed in the ledgers, perfect,

20 look at this. It can't be any clearer. They don't even use a

21 nickname here. They call him Chang. Phase I, EMATUM. Phase

22 I, EMATUM. \$5 million right there. \$3 million credit, money

23 going in, debit, money going out. Upsize, VTB right here \$350

24 million. Credit 2 million going in and 2 million going out.

25 And guess where they're paying Manuel Chang, Thyse.

1 Armando Guebuza another million dollars. It's not really in  
2 dispute. I think that's all the main reasons we have in  
3 front.

4 Let's talk about the Mozambique Bribery Law. He.  
5 Said that there's no evidence that there's this  
6 for improper influence.

7 And again, let's go to 933-C. This is in  
8 evidence.

9 It says they're paying him money for EMATUM and  
10 which parts of EMATUM?

11 And we go to 1930 on the bottom e-mail.  
12 Chopstick. 72 for Proindicus, five for EMATUM. Again,  
13 improper influence. So that's just wrong. And then the  
14 question was about the guaranty. Ms. Ngai talked about this  
15 little bit. There's two articles, and basically, if you  
16 believe the guaranty was lawful it's still illegal to take a  
17 payment for it. If you think it's unlawful, you still can't  
18 take a payment for it. So either way, it doesn't really  
19 matter whether you find the guaranty lawful or not. He's  
20 guilty under both conditions either way.

21 This point about how the Government wanted to do  
22 these projects. Okay. Fine. This point about how we  
23 allege a sham, we never said that. There's no allegations  
24 that we made in this trial it's a sham project. Pearse  
25 testified actually that he believed in the projects for both



1           We talked about wire fraud before already. It's a  
2   conspiracy. He knows he's being bribed, he knows Rosario  
3   knows he's being bribed, and the statements about no bribes  
4   he's on the hook for. And the statements say you can't make  
5   available the money of somebody else to pay corrupt  
6   payments, because that's what happened here. The borrower,  
7   Rosario, Proindicus, modern man, made the money available to  
8   Privinvest, who then paid everybody. Those are lies, and  
9   they're material. Leemhuis told you that from VTB Capital,  
10   and so did Mr. Kaplan.

11           Mr. Ford talked a lot about how the defendant  
12   believed. We have no evidence what the defendant believed.  
13   We have no idea what he really believed. Again, don't  
14   speculate. Focus on the evidence in the case. Remember, in  
15   a conspiracy, the Judge will tell you, actions speak louder  
16   than words. And the actions of the defendant and his  
17   criminal partners speak volumes; volumes.

18           Mr. Ford said there's no evidence tying EMATUM  
19   International to Ms. Lucas, okay? Look for it, 1933-D. He  
20   said look for it. 1933-D, right there. Ms. Lucas, EMATUM  
21   International. By the way, if you look at this spreadsheet  
22   when you're deliberating, it will actually show you for all  
23   of the different individuals what they're being paid for for  
24   EMATUM, and it will tell you all the entities they're being  
25   paid for, linking the entities to the bribe payments. Right

1 there, black and white, EMATUM International.

2 Banks are absolutely investors, absolutely.

3 Ms. Leemhuis told you that. Let me pull up the transcript.

4 Pulling up 1017, the transcript: A lender is the same thing  
5 as an investor. So if you give money to somebody, you are  
6 investing in them the fact that they will return the money  
7 to you. Same concept. VTB Capital and Credit Suisse were  
8 both investors in these loans. Pearse said also on 124,  
9 Credit Suisse, 124, pull that up, as a lender in Proindicus,  
10 was Credit Suisse also invested in the loan? Yes. Explain  
11 how. They keep the loan, a lot of it on the books.

12 I'm keeping you guys late, I apologize. I'm  
13 almost done.

14 Counsel said that he didn't know about any  
15 payments other than to himself, and so he can't be in a  
16 conspiracy. But that's not true. He knows he's being  
17 bribed. He also knows Rosario being bribed because Rosario  
18 is the one giving the bank information for him. And he  
19 knows Boustani knows he's being bribed because he talks to  
20 Boustani about the bribes. He confirms the bribe payment to  
21 him. Remember? I spoke to Chop Stick, confirmed the 1.5,  
22 he wants the next 1.5 in November, but 2 in December.  
23 That's Boustani. So Boustani and Rosario and Chang all know  
24 that Chang is being bribed. It's a conspiracy.

25 And guess what? You can be in a conspiracy as